

REMARKS

This Amendment is being filed in response to the Final Office Action mailed June 27, 2008, which has been reviewed and carefully considered. By means of the present amendment, claims 1, 4-5, 9 and 11 have been amended place them in better form for appeal. Accordingly, entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1 and 4-17 remain in this application, where claims 2-3 and 18 had been canceled without prejudice. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action, the Abstract is objected to for including legal phraseology. It is respectfully submitted that the Abstract had been replaced with a New Abstract that does not include legal phraseology by the Amendment filed on April 23, 2008. Accordingly, withdrawal of the objection to the Abstract is respectfully requested.

In the Final Office Action, claims 1 and 4-8 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claims 1 and 4-5 have been amended for better clarity. It is respectfully submitted that the rejection of claims 1 and 4-8 as amended are not indefinite and an indication as such is respectfully requested. For example, claim 6 indeed further limits claim 1 as claim 6 requires that the identifiers be pre-installed. In addition, 'act of indicating' in claim 8 is a new act and does not have any antecedent basis. Further, 'status of the link' is clear on its face.

In the Final Office Action, claims 1, 4-6 and 8-17 are rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2003/0162556 (Libes) in view of U.S. Patent No. 6,980,083 (Sako). Further, claim 7 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Libes in view of Sako and U.S. Patent No. 6,130,602 (O'Toole). It is respectfully submitted that claims 1 and 4-17 are patentable over Libes, Sako and O'Tool for at least the following reasons.

Libes is directed to a method and system for communication

between two wireless-enabled devices. Each wireless-enabled device includes a wireless handshake plug that is capable of transmitting and receiving data. When the two plugs are brought into physical proximity of each other, a communication link is established.

Sako discloses establishing a link as shown by steps S3 and S23 in FIGs 10-11. This established link is disconnected if an application ID is already registered in a history management table. This prevents retransmission of the same information already included in the history management table. In Sako, the link is established irrelevant of presence or absence of the ID application in the history management table. Once the link is established in steps S3 and S23 in FIGs 10-11, this established link is then disconnected if the ID application ID is already registered in a history management table. Thus, removal of the link is based on the presence of the ID application in the history management table.

It is respectfully submitted that Libes, Sako, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 9 and 11 which, amongst other patentable elements, recites (illustrative emphasis provided):

establishing the link if the duration exceeds a predetermined duration and the link is not already established, and

removing the link if the link is already established.

Libes is not even concerned with removing any links, and does not disclose or suggest removing the link. FIG 23 of Libes is completely silent and does not disclose or suggest removing the link. Further, Sako merely discloses to disconnect a link if an ID application ID is already registered in a history management table. This prevents retransmission of the same information already included in the table.

In Sako, the link is not removed if this link is already established. Rather, the link is disconnected if the ID application ID is already registered in a history management table. Sako strive to prevent re-transmission of data already transmitted, and has nothing to do with removing a link if the link is already established, as recited in independent claims 1, 9 and 11. O'Tool is cited to allegedly show other features and do not remedy the deficiencies in Libes and Sako.

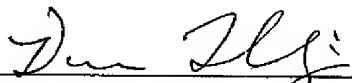
Accordingly, it is respectfully requested that independent claims 1, 9 and 11 be allowed. In addition, it is respectfully

submitted that claims 4-8, 10 and 12-17 should also be allowed at least based on their dependence from independent claims 1, 9 and 11, as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
August 27, 2008

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101